

FILED
Clerk
District Court

MAR 05 2015

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

for the Northern Mariana Islands
By 
(Deputy Clerk)

PAUL MURPHY,

Case No. 1:14-cv-00026

Plaintiff,

**ORDER DENYING DEFENDANT'S
MOTION TO DISMISS AS MOOT**

v.

COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS,


Defendant.

On March 3, 2015, the Court issued an order giving Plaintiff Paul Murphy additional time to respond to the CNMI's motion to dismiss (ECF No. 6), which the CNMI had filed on January 20. On March 4, Murphy filed an amended complaint (ECF No. 8). Because more than 21 days have passed since the motion to dismiss was filed, Murphy needs the Court's (or the CNMI's) permission to amend his pleading. Fed. R. Civ. P. 15(a).

The amended complaint substantially revises the original pleading, adds counts, and appears to be a good-faith attempt to fix problems that the CNMI identified in its motion. Therefore, the Court will allow Murphy to amend his complaint. Murphy is now on notice, however, that he must ask permission before filing any further amendments.

Generally, an amended complaint supersedes the original pleading and "renders it without legal effect[.]" *Lacey v. Maricopa County*, 693 F.3d 896, 927 (9th Cir. 2012). Because the original complaint is no longer in effect, the pending motion to dismiss is DENIED AS MOOT. The CNMI must respond to the amended complaint within the time allotted under Fed. R. Civ. P. 15(a)(3).

SO ORDERED this 5th day of March, 2015.


RAMONA V. MANGLONA
Chief Judge